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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,188	01/14/2002	Gregory V. Bogoshian	D/A1227	6203

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EXAMINER

EVANS, ROBIN OCTAVIA

ART UNIT PAPER NUMBER

3742

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,188

Applicant(s)

BOGOSHIAN, GREGORY V.

Examiner

Robin O. Evans

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment presented in communication filed June 28, 2004 is acknowledged.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Gladish (4,185,399).

Gladish shows an air knife 14 having a manifold 32 connected to an air supply 30, first direct stream 24 and a plurality of secondary outlets 26 connected to the manifold which direct a localized stream of air in a direction substantially parallel to said first directed stream of air (see figure 4a).

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Minton (1,595,478).

Minton shows an air knife 1 having a manifold 4 connected to an air supply 5, first outlet 15 and a plurality of secondary outlets 16 directing a localized stream of air in a direction substantially parallel to said first direct stream as shown in figure 1. Also note page 2, lines 81-93, discloses using air as the pressurized fluid.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nacci et al. (4,338,391) in view of Gladish.

Nacci et al show an electrophographic-printing machine having a fusing roll 11, pressure roll 12, nip 17 and an air knife 20 adjacent the nip. Nacci et al. do not disclose the air knife having a first stream and a plurality of secondary outlets. Gladish shows another air knife having first and secondary outlets connected to the manifold. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the air knife of Nacci et al. with a first stream and a plurality of secondary outlets so as to have an air knife that has sealing air which ensures that there is no backward escape of air from the nozzles and also prevents the intrusion of dust and debris into the nip as disclosed and suggested by Gladish in column 3, lines 23+.

As to claim 3 and the limitation of a print engine, it is noted that the invention of Nacci et al. is directed to an electrophotographic copier which will inherently have a print engine although not shown (see column 12, lines 1+).

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (6,096,427) in view of Gladish.

Chen et al. show an electrophographic-printing machine having a heated fusing roll 12, pressure roll 15 and an air knife 20. Chen et al. do not disclose that the air knife has a first stream and a plurality of secondary outlets. Gladish shows another air knife having first and secondary outlets connected to the manifold. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the air knife of Chen et al. with a first stream and a plurality of secondary outlets so as to have an air knife that has sealing air which ensures that there is no backward escape of air from the nozzles and also prevents the intrusion of dust and debris as disclosed and suggested by Gladish in column 3, lines 23+.

As to claim 3 and the limitation of a print engine, it is noted that the invention of Chen et al. is directed to an electrophotographic copier, which will inherently have a print engine although not shown (see abstract).

Response to Arguments

7. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bujese et al., Hori et al., Santiago et al., Karisson et al., and Eskelinen et al. show devices in the general state of the art of the invention.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robin O. Evans whose telephone number is (703) 305-5766. The examiner can normally be reached on Monday-Thursday 6:30 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on (703) 308-2087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robin O. Evans
Primary Examiner
Art Unit 3742

10/03/04

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